

Complete
19 March 1954

Memorandum for the Record

There is attached herewith a digest of the salient points made by Senator Mike Mansfield of Montana in two speeches on the Senate floor. The first was made on 20 July 1953 at the time he introduced S. Con. Res. 42 to establish a Joint Committee on Central Intelligence. The second was made on 10 March 1954, when he introduced a revised bill, S. Con. Res. 69.

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Attachment

I. Purpose of a Joint Committee on Central Intelligence.

The purpose of the joint congressional committee would be in a sense to safeguard as well as to supervise the policies of the CIA.

"The Joint Committee on Atomic Energy offers a model for congressional participation in control of CIA.

To oversee and supervise the interests of CIA --

[Mansfield notes "CIA's position of responsibility to none but the National Security Council." However, the National Security Act of 1947, Sec. 102(d) places the enumerated functions of CIA "under the direction of the National Security Council," not under the Congress for purposes of control and supervision. The latter, and the purposes quoted above would appear to be unconstitutional and in derogation of the doctrine of separation of powers.]

Other purposes listed include:

- a. To see that good management is maintained in CIA;**
- b. To keep a constant check on its intelligence policies;**
- c. To be in a position to criticize any mistakes CIA may make;**
- d. To protect the reputation of the agency against unjustified attacks;**
- e. To make unnecessary, sporadic investigations which might lead to unauthorized disclosures;**
- f. Adequate funds would be assured for all legitimate purposes;**
- g. Fulfill the need for regular and responsible congressional scrutiny of CIA which is:**
 - i. Essential to the success of our foreign policy;**

- ii. Essential to the security of CIA itself; and
- iii. Essential to the preservation of our democratic processes from the threat of such an agency enshrouded in secrecy.

[Of the above purposes, item b. is a function of the Executive branch. Item d. and e. can be handled by the Armed Services Committees. Item f. is the prerogative of the Appropriations Committees, which they will not surrender to any other committee.]

II. The Aura of Secrecy.

1. Responsible congressional auditing of CIA is not incompatible with maintenance of necessary secrecy.
2. Secrecy for secrecy's sake invites abuse. There is no way of knowing whether we have a fine service or a poor one. Secrecy beclouds everything about CIA -- cost, efficiency, successes, failures.
3. Secrecy has been mustered against questions or proposals regarding CIA by members of Congress.

[The Bundy case is the major example of this. However, there are others as well, mostly in the field of the Government Operations Committee or its Subcommittee on Investigations. There are also many examples of cooperation.]

4. Almost no congressional inspection of CIA since its establishment. CIA is freed from practically every ordinary form of congressional check. No regular, methodical review of CIA, other than a briefing to a few members of the Appropriations Committee.

[A full world situation briefing, including much operational material, was given to a special subcommittee of the Senate Armed Services Committee by General Smith on 21 March 1951. No subsequent request has been received. Mr. Dulles offered the same thing to Chairman Saltonstall on 10 February 1953, but no action was forthcoming. In 1954, Mr. Dulles urged both Chairmen Saltonstall and Short to set up special subcommittees to review CIA matters.]

5. It is difficult to legislate intelligently because we have no information on CIA which we can be positive is correct.

[Admittedly, the CIA Act was passed by the Congress with a minimum of public explanation. However, there was a detailed briefing of the Armed Services Committees in executive session on the background of the bill. The Committee members themselves asked the membership to pass the bill on the basis of faith in the Committees, which had unanimously approved the legislation. Our subsequent three bills were passed with full knowledge and debate.]

6. A great many members of Congress are already questioning the wisdom of continuing to allow almost complete independence to a government agency as vital and powerful as CIA. CIA will never obtain public and Congressional confidence under present arrangements. All signs point to a steady loss of such confidence. Mutual confidence is a prerequisite for effective operation by an Executive agency, especially for one hidden behind closed doors. Failure to establish such a link will result in growing suspicion, followed by sporadic investigation by various committees of Congress. The only assurances Congress has of effectiveness are those proffered by the men who run CIA. There is no way for Congress to know what flaws may be covered by secrecy.

7. An aura of superiority has been built around CIA. Calls for investigation of CIA personnel have been met with resistance not encountered from any other agency handling equally confidential material. This has been supported by the Administration. CIA seems to have marked out for itself a setting above other government agencies, Congress, and the public.

III. Appropriations.

1. CIA appropriations are hidden and only a handful of members see even the appropriation figures. Thus the Congress appropriates vast funds without debate or question.

2. Secrecy beclouds CIA costs. There is no regular, methodical review of this Agency, other than a briefing to a few members of the Appropriations Committees.

3. If Congress were aware of general policies being pursued by CIA, then it could be reasonably certain that funds are not being wasted, and that there is not much overlapping and useless expenditure between CIA and the other intelligence services.

[The above points seem to indicate a lack of faith in the Appropriations Committees, which will not relinquish their jurisdiction even to a joint committee.]

4. Control of CIA expenditures is exempted from the provisions of law which prevent financial abuses in other Government agencies.

[This is true only for a part of the Agency's expenditures. Much of our expenditure is subject to GAO audit, and the remainder subject to tough internal controls and audit.]

IV. Organization and Personnel.

1. The number of personnel is unknown. The Bureau of the Budget does not report the CIA personnel strength to Congress.
2. Is there deadwood in the organization, and too many 'pals' of people with influence in the Government?
3. Is CIA topheavy and unwieldy?

V. CIA and Foreign Affairs.

1. It would be sensible if Congress were aware of general policies being pursued by CIA and that the country is getting intelligence it needs for its protection. What is the quality of the product which CIA is producing?

2. Faulty intelligence estimates could jeopardize our entire defense and foreign policy. If the premises are wrong, policies based on them will be wrong.

3. CIA plays a more direct role in foreign policy than that of simply providing some of the information on which our policies are based. CIA also serves as an instrument of policy. The impact of CIA on foreign policy is noted through the medium of certain alleged CIA operations which went sour.

4. Congress cannot permit CIA to have free reign to do anything it wants anywhere in the world.

5. Is CIA violating the statutory prohibition against internal security functions?

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